

REMARKS

Claims 1-3 are pending and at issue in the application with claims 1 and 3 being independent claims. No claims have been amended or cancelled. As a result, two independent claims remain in the application as previously paid for, and three total claims remain in the application as previously paid for. Authorization to charge deposit account number 13-2855 is submitted herewith for the requisite surcharge fee of \$120.00 for a one-month extension of time. The applicants believe no additional fee is due. However, the commissioner is hereby authorized to charge any deficiency in the amount enclosed or any additional fees which may be required under 37 C.F.R. 1.16 or 1.17 to Deposit Account No. 13-2855. Reconsideration and withdrawal of the rejections in view of the remarks below is respectfully requested.

The applicants respectfully traverse the rejection of claim 1 as anticipated by Booth et al. (U.S. Patent No. 6,879,243) under 35 U.S.C. §102(e). The applicants further traverse the rejection of claim 2 as unpatentable over Booth et al. alone under 35 U.S.C. §103, traverse the rejection of claim 3 as unpatentable over Booth et al. in view of Gokcebay et al. (U.S. Patent No. 6,791,450), and traverse the rejection of claim 3 as anticipated by Gokcebay et al. under 35 U.S.C. §102(e).

Regarding the rejections of claims 1-3 based on Booth et al., Booth et al. is not prior art with respect to the present application, because the U.S. filing date of Booth et al. is February 14, 2002. The present application has a U.S. filing date of April 8, 2004, but claims direct priority from International Application No. PCT/DE02/03761, filed on October 7, 2002, which in turn claims convention priority from German Patent Application No. 101 49 637.0, filed on October 9, 2001. The claim for foreign priority under 35 U.S.C. §119 and the receipt of the certified copies of the priority documents is acknowledged in the Office Action Summary dated March 7, 2006, the Office Action Summary dated September 5, 2006 and in the Office Action Summary dated April 25, 2007. A certified copy of German Patent Application No. 101 49 637.0 was provided on July 7, 2006.

Enclosed herewith is a verified English translation of German Patent Application No. 101 49 637.0. Accordingly, the claim for priority under 35 U.S.C. §119 is perfected. Under

the provisions of 35 U.S.C. §119, the present application is accorded the benefit of the priority date of German Patent Application No. 101 49 637.0, filed on October 9, 2001. Booth et al., as relied upon in the official action, was filed in the U.S. Patent and Trademark Office on February 14, 2002. In view of the perfected priority date of the present application, Booth et al. no longer qualifies as a statutory prior art under 35 U.S.C. §§102 and 103. In absence of Booth et al. as prior art, Booth et al. cannot anticipate, or render obvious, claims 1-3, and the applicants respectfully request reconsideration and withdrawal of the rejection of claims 1-3 as anticipated by or unpatentable over Booth et al.

Turning to the rejection of claim 3 based on Gokcebay et al, Gokcebay et al. fails to disclose all of the limitations of claim 3. In particular, Gokcebay et al. does not disclose or suggest a central control unit comprising an interface for flexibly associating parcel boxes with operating units. Although Gokcebay et al. discloses a processor 63 (cited in the action as the recited central control unit) having a bus driver 62 (cited in the action as the recited interface), Gokcebay et al. does not disclose that the processor 63 and bus driver 62 flexibly associate the locks 60 (cited in the action as the recited parcel boxes) with the hubs 61 (cited in the action as the recited operating units).¹ Instead, Gokcebay et al. only discloses that the locks 60 are connected on a bus line through the hubs 61, where the hubs 61 are connected to one another. (See column 5, lines 47-52; Fig. 6).

Referring to Fig. 6 and the corresponding description of Gokcebay et al., each group of locks 60 is associated with a particular hub 61. While a number of bus lines may be supported by the bus driver 62, Gokcebay et al. teaches that the locks 60 of the system are all placed on the same bus line. In short, the locks 60 (and associated lockers) are statically associated with a particular hub 61. There is no disclosure that one or more locks 60 from one group may be flexibly associated with the hub 61 of another group. Accordingly, it is clear that the locks 60 are not flexibly associated with the hubs 61, and it therefore follows that the processor 63 and bus driver 62 do not flexibly associate the locks 60 with the hubs 61. By contrast, claim 3 specifically recites that the central control unit comprises an

¹ Indeed, the action does not even address the feature of flexibly associating parcel boxes with operating units, much less assert that this feature is disclosed in Gokcebay et al.

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interface for flexibly associating the parcel boxes with operating units. It is clear that a claim is anticipated only if each and every element as set forth in the claim is found in a single prior art reference. See MPEP 2131. Accordingly, claim 3, is not anticipated by Gokcebay et al.

For the foregoing reasons, reconsideration and withdrawal of the rejections of the claims and allowance thereof are respectfully requested. Should the examiner wish to discuss the foregoing, or any matter of form, in an effort to advance this application towards allowance, the examiner is urged to telephone the undersigned at the indicated number.

Respectfully submitted,

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